



Stormwater Utility Fee

What is the Stormwater Utility Fee?

Effective July 2012, the Maryland State Legislature passed the "Stormwater Management - Watershed Protection and Restoration Program", also known as House Bill 987. The text of HB 987 can be found at: <http://mgaleg.maryland.gov/2012rs/bills/hb/hb0987e.pdf>

The law requires nine counties (including Frederick County) and the City of Baltimore to establish a stormwater utility fee on or before July 1, 2013. The law requires:

- A stormwater mediation fee, and
- A local watershed protection and restoration fund (i.e. special revenue fund); and
- A process for appeals, credits and hardship claims.

How Much Will Frederick County Charge?

The Board of County Commissioners voted on March 7, 2013 to propose a one cent (\$0.01) per year fee on all eligible properties. You can watch the video archive of the BOCC March 7th meeting at <http://www.frederickcountymd.gov/media/>

Who Will Be Charged the Fee?

Properties are those that are not within a municipality and not owned by a government or volunteer fire company would have to pay the fee. Government and volunteer fire company properties are prohibited from being charged by state law. The law would require additional requirements on the County if it attempted to charge within municipalities, and it is proposing not to do so at this time. Agricultural properties and properties owned by not-for-profits are not exempt from the fee.

How Much Revenue Will Be Generated?

Approximately \$482.50, based on collecting one cent from each of 48,250 eligible properties.

What Will the Money Be Used For?

Funds collected will be set aside to pay for stormwater-related activities as required by the law. The County is required to comply with Clean Water Act permits. In addition to general permit compliance, there are substantial requirements in the permits to retrofit surfaces in urban areas that do not allow water to percolate, known as untreated impervious areas, with stormwater management facilities. The County predicts that its next National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permit, currently in draft, would cost the county over \$112 Million to comply. This includes almost \$95 Million for stormwater retrofits. This permit is in negotiation.

How Does the County Pay for Stormwater-Related Activities Now?

The County pays for compliance with Clean Water Act permits for stormwater from the County's General Fund, which is money from taxes.

I Heard Something Different About the Fee

- Each County and City regulated by the law has the latitude to establish the fee as it sees fit so long as the jurisdiction meets the requirements of the state law. Some jurisdictions have chosen to charge based on the size of the building or charge a certain amount for untreated impervious area. In some areas of the state, fees are predicted to cost a substantial amount where properties have large amounts of untreated impervious areas.
- You may have heard the fee referred to as a "rain tax." This is not an official term the state uses, but one that has been used to describe the state law.

How Can I Give Input?

A public hearing will be held on Thursday, May 30, 2013 at 10 AM in the third floor hearing room of Winchester Hall. Your input is welcome.

For more information, contact Shannon Moore at smoore@frederickcountymd.gov or 301.600.1413.